



IAP4 Rsc'd PCT/PTO 27 DEC 2005
#3

PATENT DOCKET 207,027

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hassell, James Clyde JR

Examiner: Not Yet Assigned

Serial no.: 10/538,394

Group Art Unit: Not Yet Assigned

Filed: June 8, 2005

Title: MULTI-PHASE FLUID SAMPLING METHOD AND APPARATUS

STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. § 1.10

This correspondence is being deposited with the United States Postal Service on December 27, 2005 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ER059675025US addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450.

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NON-PROVISIONAL APPLICATION

Mail stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dated: December 27, 2005

REMARKS

In response to the Notice to File Missing Parts of December 1, 2005 (copy enclosed) in above-captioned application, enclosed is a Declaration and Power of Attorney, executed by the inventor. The surcharge for late filing of the Declaration in the amount of \$ 130.00 is included in the check submitted herewith.

Respectfully submitted,

Thomas E. Spath
Attorney for Applicants
Reg. No. 25,928

01/04/2006 09:45:17 00000038 10538394
130.00 LP

10/538397



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/538,394	James Clyde Hassell JR.	207,027
INTERNATIONAL APPLICATION NO.		
PCT/US04/00607		
I.A. FILING DATE	PRIORITY DATE	
01/07/2004	01/07/2003	

Abelman Frayne & Schwab
 666 Third Avenue, 10th Floor
 New York, NY 10017-5621

CONFIRMATION NO. 2272
 371 FORMALITIES LETTER


 OC000000017509153

Date Mailed: 12/01/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/08/2005
- Copy of the International Search Report filed on 06/08/2005
- Copy of IPE Report filed on 06/08/2005
- Oath or Declaration filed on 06/08/2005
- Request for Immediate Examination filed on 06/08/2005
- U.S. Basic National Fees filed on 06/08/2005
- Priority Documents filed on 06/08/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/538,394	PCT/US04/00607	207,027

FORM PCT/DO/EO/905 (371 Formalities Notice)